

# **Exhibit 16**



**U.S. Department of Justice**  
Consumer Protection Branch

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August 1, 2017

VIA EMAIL

S. Cass Weiland  
2000 McKinney Ave, Suite 1700  
Dallas, TX 75201  
United States of America  
(214) 758-1500

Re: *United States et al. v. USPLabs, LLC et al.*,  
15-cr-496-L (N.D. Tx.)

Dear Cass:

Pursuant to the Court's order during the hearing on July 20, below please find a list of the documents already produced by the Government to the defense that were marked, out of an abundance of caution, as potentially containing *Brady-Giglio* material by the attorneys assigned to review the documents. As I explained at the hearing, we do not believe any of these documents are exculpatory.

|              |              |                  |
|--------------|--------------|------------------|
| GOV-01258123 | GOV-01276660 | GOV-01548043     |
| GOV-01276872 | GOV-01358118 | GOV-01548045     |
| GOV-01276869 | GOV-01358123 | GOV-01270086     |
| GOV-01545892 | GOV-01545886 | GOV-01277252     |
| GOV-01545894 | GOV-01545888 | GOV-01281502     |
| GOV-01545891 | GOV-01548051 | GOV-01267851     |
| GOV-01546011 | GOV-01278076 | GOV-01267013     |
| GOV-01546013 | GOV-01548046 | GOV-01272247     |
| GOV-01548060 | GOV-01548047 | GOV-01272248     |
| GOV-01548062 | GOV-01277587 | GOV-01560733     |
| GOV-01545890 | GOV-01281266 | GOVEXPT-00003159 |
| GOV-01545889 | GOV-01543883 | GOVEXPT-00003160 |
| GOV-01548058 | GOV-01548042 | GOVEXPT-00001767 |
|              |              | GOVEXPT-00001768 |

We have located additional privileged documents (128 documents in about 25 email threads) that initially were marked as containing potential *Brady-Giglio* material, but were not produced because they are privileged and were determined not to contain potential *Brady-Giglio* material upon subsequent review. We are preparing to file a motion asking the Court to review those documents *in camera* and to authorize the Government to withhold those documents. Please let us know by Thursday, August 3 at noon Central time whether you would oppose that motion.

Best,

A handwritten signature in black ink, appearing to read 'Pat Runkle', with a stylized flourish at the end.

Patrick Runkle  
Trial Attorney

|                 |                  |                 |
|-----------------|------------------|-----------------|
| cc (via email): | Chris Niewoehner | Patrick Linehan |
|                 | Mike Gibson      | Pat Hall        |
|                 | Richard Roper    | Joe McMullen    |
|                 | Mike Uhl         | Errin Martin    |